

**CUSTOMER'S MOTION TO CHALLENGE
GOVERNMENT'S ACCESS TO FINANCIAL RECORDS**

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DENISE BARNETT,

Movant,

v.

UNITED STATES DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT
OFFICE OF INSPECTOR GENERAL,

Respondent.

Case No. _____
(To be supplied by Court Clerk)

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**MOTION FOR ORDER
PURSUANT TO CUSTOMER
CHALLENGE PROVISIONS
OF THE RIGHT TO
FINANCIAL PRIVACY ACT
OF 1978**

2012 NOV -5 PM 3:45
S.D. of N.Y.

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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11-05-12

DENISE BARNETT hereby moves this Court, pursuant

To Section 1110 of the Right to Financial Privacy Act of 1978, 12 U.S.C. § 3410, for an order preventing the government from obtaining access to my financial records. The agency seeking access is the Department of Housing and Urban Development, Office of Inspector General.

My financial records are held by Bank of America.

In support of this motion, the court is respectfully referred to my sworn statement filed with this motion.

Denise Barnett
10 Wintergreen Place
Hopewell Junction, NY 12533
Telephone: (914) 403-3217

Respectfully submitted,

Denise Barnett

Denise Barnett

CUSTOMER'S SWORN STATEMENT FOR FILING A CHALLENGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

_____X

DENISE BARNETT,

Movant,

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UNITED STATES DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT
OFFICE OF INSPECTOR GENERAL,

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_____X

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**SWORN STATEMENT OF
MOVANT**

I, DENISE BARNETT, am presently/was previously (indicate one) a customer of Bank of America and I am the customer whose records are being requested by the Government.

The financial records sought by the Department of Housing and Urban Development, Office of Inspector General (HUD):

1. are not relevant to the legitimate law enforcement inquiry stated in the Customer Notice that was sent to me because there is no basis to suspect that I am or was involved in possible embezzlement of Government Funds.

2. should not be discovered because there has not been substantial compliance with the Right to Financial Privacy Act of 1978 in that HUD has not established that my personal bank account records are relevant to a legitimate law enforcement inquiry.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 2, 2012


Denise Barnett

Pursuant to: Section 1110 of the Right to Financial Privacy Act, P.L. 95-630, codified at 12 U.S.C. § 3410.